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NEW DELHI, FRIDAY, AUGUST 17, 1984/SHRAVANA 26, 1906

इस भाग में भिन्न पृष्ठ संख्या वाली जाती है जिससे यह अलग संकलन
के काम में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 17th August, 1984:—

BILL NO. 77 OF 1984

A Bill further to amend the Constitution of India.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Fiftieth Amendment) Act, 1984. Short title.

2. In article 356 of the Constitution, in clause (5), the following proviso shall be inserted at the end, namely:— Amendment of article 356

'Provided that in the case of the Proclamation issued under clause (1) on the 6th day of October, 1983 with respect to the State of Punjab, the reference in this clause to "any period beyond the expiration of one year" shall be construed as a reference to "any period beyond the expiration of two years".'

STATEMENT OF OBJECTS AND REASONS

The Proclamation issued by the President under article 356 of the Constitution on the 6th day of October, 1983 with respect to the State of Punjab cannot be continued in force for more than one year unless the special conditions mentioned in clause (5) of article 356 of the Constitution are satisfied. Although the Legislative Assembly is in suspended animation and a popular government can be installed, having regard to the prevailing situation in the State, the continuance of the Proclamation beyond 5th October, 1984 may be necessary. To facilitate the adoption of a resolution by the two Houses of Parliament approving the continuance in force of the Proclamation beyond 5th October, 1984, it is necessary to amend article 356 of the Constitution. It is therefore proposed to amend clause (5) of article 356 so as to make the conditions mentioned therein inapplicable for the purposes of the continuance in force of the said Proclamation up to a period of two years from the date of its issue.

NEW DELHI;

P. V. NARASIMHA RAO.

The 13th August, 1984.

BILL No. 79 of 1984

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Fifty-first Amendment) Act, 1984. Short title and commencement.
2. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. Amendment of article 244.
3. In article 244 of the Constitution, in clauses (1) and (2), for the words "and Meghalaya", the words ", Meghalaya and Tripura" shall be substituted. Amendment of the Fifth Schedule.
4. In the Sixth Schedule to the Constitution, in paragraph 1, for the words "and Meghalaya", the words ", Meghalaya and Tripura" shall be substituted. Amendment of the Sixth Schedule.
 - (a) in the heading, for the words "and Meghalaya", the words ", Meghalaya and Tripura" shall be substituted;
 - (b) in sub-paragraph (1) of paragraph 1, for the words and figures "Parts I and II", the words, figures and letter "Parts I, II and IIIA" shall be substituted;
 - (c) after paragraph 12A, the following paragraph shall be inserted, namely:—

"12AA. Application of Acts of Parliament and of the Legislature of the State of Tripura to the autonomous district and

autonomous regions in the State of Tripura—Notwithstanding anything in this Constitution,—

(a) if any provision of a law made by the District or a Regional Council in the State of Tripura with respect to any matter specified in sub-paragraph (1) of paragraph 3 of this Schedule or if any provision of any regulation made by the District Council or a Regional Council in that State under paragraph 8 or paragraph 10 of this Schedule, is repugnant to any provision of a law made by the Legislature of the State of Tripura with respect to that matter, then, the law or regulation made by the District Council or, as the case may be, the Regional Council whether made before or after the law made by the Legislature of the State of Tripura, shall, to the extent of repugnancy, be void and the law made by the Legislature of the State of Tripura shall prevail;

(b) the President may, with respect to any Act of Parliament, by notification, direct that it shall not apply to the autonomous district or an autonomous region in the State of Tripura, or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification and any such direction may be given so as to have retrospective effect.”;

(d) in paragraph 17, after the words “or Meghalaya”, at both the places where they occur, the words “or Tripura” shall be inserted;

(e) in paragraph 20,—

(i) in sub-paragraph (1),—

(A) after the words and figures “in Parts I, II”, the figures and letter “, IIA” shall be inserted;

(B) after the words “the State of Meghalaya”, the words “, the State of Tripura” shall be inserted;

(ii) in sub-paragraph (2), for the words “Any reference in the table below”, the words and figures “Any reference in Part I, Part II or Part III of the table below shall be substituted;

(iii) after sub-paragraph (2), the following sub-paragraph shall be inserted, namely:—

‘(3) The reference in Part IIA in the table below to the “Tripura Tribal Areas District” shall be construed as a reference to the territory comprising the tribal areas specified in the First Schedule to the Tripura Tribal Areas Autonomous District Council Act, 1979.’;

(f) in the Table, after Part II and the entries relating thereto, the following Part shall be inserted, namely:—

“PART IIA
Tripura Tribal Areas District.”

STATEMENT OF OBJECTS AND REASONS

The Tripura Legislative Assembly passed a resolution on the 19th March, 1982 and again on the 11th February, 1983, urging the Government of India to apply the provisions of the Sixth Schedule to the Constitution to the tribal areas of the State of Tripura. The State Government of Tripura, therefore, recommended amendment of the Constitution for the purpose. Though under the Tripura Tribal Areas Autonomous District Council Act, 1979, an autonomous District Council has been functioning in the State, it was considered necessary to give it Constitutional sanctity with a view to meet the aspirations of the tribal population. The Council is expected to ensure rapid development of tribal areas and self-governance by the tribals.

2. The Bill seeks to achieve the above objects.

NEW DELHI;

The 14th August, 1984.

P. V. NARASIMHA RAO

SUBHASH C. KASHYAP,

Secretary-General.

